

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

UCAL-056CIP4

In re Application of: PRION PROTEIN STANDARD AND METHOD OF MAKING SAME

Application No.: 09/856,230

Filed: August 14, 2001

For: PRION PROTEIN STANDARD AND METHOD OF MAKING SAME

The owner, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,020,537. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

07/13/2004 SDIRETA1 00000063 500615 09856230

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Signature

07/13/2004

Date

Karl Bozicevic

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUL 13 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ **110.00**)**Complete if Known**

Application Number	09/856,230
Filing Date	August 14, 2001
First Named Inventor	PRUSINER, STANLEY B.
Examiner Name	FALK, ANNE MARIE
Art Unit	1632
Attorney Docket No.	UCAL-056CIP4

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0815

Bozicevic, Field &amp; Francis LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge Any Additional Fee(s) Required under 37 C.F.R. 1.17.☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1001 770 2001 385	Utility filing fee	
1002 340 2002 170	Design filing fee	
1003 530 2003 265	Plant filing fee	
1004 770 2004 385	Reissue filing fee	
1005 160 2005 80	Provisional filing fee	

**SUBTOTAL (1)**

0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
15	-27** =	x	= 0.00
Indep. Claims	4	-5** =	x = 0.00
Multiple Dependent			= 0.00

Large Entity Small Entity

Fee Code Fee Code

1202 18 2202 9

1201 86 2201 43

1203 290 2203 145

1204 86 2204 43

1205 18 2205 9

**Fee Description**

Claims in excess of 20

Independent claims in excess of 3

Multiple dependent claim, if not paid

\*\* Reissue independent claims over original patent

\*\* Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$ **0.00**

\*\*or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1051 130 2051 65	Surcharge - late filing fee or oath	
1052 50 2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130 1053 130	Non-English specification	
1812 2,520 1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920* 1804 920*	Requesting publication of SIR prior to Examination action	
1805 1,840* 1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110 2251 55	Extension for reply within first month	
1252 420 2252 210	Extension for reply within second month	
1253 950 2253 475	Extension for reply within third month	
1254 1,480 2254 740	Extension for reply within fourth month	
1255 2,010 2255 1,005	Extension for reply within fifth month	
1401 330 2401 165	Notice of Appeal	
1402 330 2402 165	Filing a brief in support of an appeal	
1403 290 2403 145	Request for oral hearing	
1451 1,510 1451 1,510	Petition to institute a public use proceeding	
1452 110 2452 55	Petition to revive - unavoidable	
1453 1,330 2453 665	Petition to revive - unintentional	
1501 1,330 2501 665	Utility issue fee (or reissue)	
1502 480 2502 240	Design issue fee	
1503 640 2503 320	Plant issue fee	
1406 130 1460 130	Petitions to the Commissioner	
1807 50 1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180 1806 180	Submission of Information Disclosure Stmt	
8021 40 8021 40	Recording each patent assignment per property (times number of properties)	
1809 770 2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770 2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770 2801 385	Request for Continued Examination (RCE)	
1802 900 1802 900	Request for expedited examination of a design application	

Fee Paid

110.00

Other fee (specify) **Terminal Disclaimer**

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

110.00

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Karl Bozicevic	Registration No. (Attorney/Agent)	28,807	Telephone	(650) 833-7735
Signature		Date	07/13/2004		

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